

**REPORT OF THE AUDIT OF THE  
CALDWELL COUNTY  
CLERK**

**For The Year Ended  
December 31, 2005**

**ROMAINE & ASSOCIATES, PLLC  
CERTIFIED PUBLIC ACCOUNTANTS**

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## **EXECUTIVE SUMMARY**

### **AUDIT EXAMINATION OF THE CALDWELL COUNTY CLERK**

**For The Year Ended  
December 31, 2005**

Romaine & Associates, PLLC has completed the Caldwell County Clerk's audit for the year ended December 31, 2005. Based upon the audit work performed, the financial statement presents fairly in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting.

#### **Financial Condition:**

Excess fees increased by \$17,267 from the prior year, resulting in excess fees of \$19,761 as of December 31, 2005. Revenues decreased by \$82,879 from the prior year and expenditures decreased by \$102,365.

#### **Deposits:**

On March 31, 2005, the clerk's collateral and FDIC insurance together did not equal or exceed the amount on deposit, leaving \$61,418 of public funds uninsured and unsecured. The deposits were secure as of April 1, 2005. As of December 31, 2005, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

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Krista Romaine, CPA, Member  
Charlotte Clark, Member

# Romaine *and* Associates PLLC

William Erwin, CPA  
Van R. Prince, CPA

CERTIFIED PUBLIC ACCOUNTANTS

The Honorable Van Knight, Caldwell County Judge/Executive  
Honorable Toni C. Watson, Caldwell County Clerk  
Members of the Caldwell County Fiscal Court

## Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Caldwell County, Kentucky, for the year ended December 31, 2005. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Clerk for the year ended December 31, 2005, in conformity with the regulatory basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated July 13, 2006, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

The Honorable Van Knight, Caldwell County Judge/Executive  
Honorable Toni C. Watson, Caldwell County Clerk  
Members of the Caldwell County Fiscal Court

This report is intended solely for the information and use of the County Clerk and Fiscal Court of Caldwell County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

*Krista L. Romaine, CPA*

Krista L. Romaine, CPA  
Romaine & Associates, PLLC

Audit fieldwork completed -  
July 13, 2006

CALDWELL COUNTY  
 TONI C. WATSON, COUNTY CLERK  
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2005

Revenues

State Fees For Services	\$	4,867	
Fiscal Court			4,816
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	367,607	
Usage Tax		1,054,210	
Tangible Personal Property Tax		881,704	
Ad Valorem Lien Fees		3,297	
City Vehicle Tax		36,788	
Other-			
Fish and Game		6,581	
Marriage		4,140	
Deed Transfer Tax		26,793	
Delinquent Tax		45,378	2,426,498
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Contracts	\$	18,055	
Real Estate Mortgages		19,858	
Chattel Mortgages and Financing Statements		43,087	
Powers of Attorney		1,258	
All Other Recordings		7,595	
Charges for Other Services-			
Candidate Filing Fees		600	
Copywork		8,572	99,025
Interest Earned			488
Total Revenues	\$		2,535,694

The accompanying notes are an integral part of this financial statement.

CALDWELL COUNTY  
 TONI C. WATSON, COUNTY CLERK  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2005  
 (Continued)

Expenditures

Payments to State:

Motor Vehicle-

Licenses and Transfers \$ 283,341

Usage Tax 1,018,143

Tangible Personal Property Tax 310,400

Licenses, Taxes, and Fees-

Fish and Game 6,399

Delinquent Tax 6,498

Legal Process Tax 10,588

Marriage Licenses 1,598 \$ 1,636,967

Payments to Fiscal Court:

Tangible Personal Property Tax \$ 71,783

Delinquent Tax 5,052

Deed Transfer Tax 25,435 102,270

Payments To City:

31,870

Payments to Other Districts:

Tangible Personal Property Tax \$ 464,253

Delinquent Tax 22,033 486,286

Payments to Sheriff

624

Payments to County Attorney

6,800

Operating Expenditures and Capital Outlay:

Personnel Services-

Deputies' Salaries \$ 118,354

Employee Benefits-

Employer's Share Social Security 13,881

Employer's Share Retirement 18,133

Other Payroll Expenditures 502

The accompanying notes are an integral part of this financial statement.

CALDWELL COUNTY  
 TONI C. WATSON, COUNTY CLERK  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2005  
 (Continued)

Expenditures (Continued)

Operating Expenditures and Capital Outlay: (Continued)

Contracted Services-

Advertising 123

Printing and Binding 2,176

Materials and Supplies-

Office Supplies 4,342

Other Charges-

Conventions and Travel 3,112

Dues 500

Postage 4,243

Refunds 5,317

Telephone 1,833

Records Restoration 1,116

Bad Debt Expense 441

Miscellaneous 276

Capital Outlay-

Office Equipment 2,902 \$ 177,251

Total Expenditures \$ 2,442,068

Net Revenues \$ 93,626

Less: Statutory Maximum 67,071

Excess Fees \$ 26,555

Less: Expense Allowance \$ 3,600

Training Incentive Benefit 3,194 6,794

Excess Fees Due County for 2005 \$ 19,761

Payments to Fiscal Court - March 13, 2006 19,761

Balance Due Fiscal Court at Completion of Audit \$ 0

The accompanying notes are an integral part of this financial statement.



CALDWELL COUNTY  
NOTES TO FINANCIAL STATEMENT

December 31, 2005

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Clerk as determined by the audit. KRS 64.152 requires the County Clerk to settle excess fees with the fiscal court by March 15 each year.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting, revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive), at December 31, that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2005 services
- Reimbursements for 2005 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2005

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

## Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost-sharing, multiple-employer defined benefit pension plan that covers all eligible full-time employees and provides for retirement, disability, and death benefits to plan members.

Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 8.48 percent for the first six months and 10.98 percent for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65. Aspects of benefits for hazardous employees include retirement after 20 years of service or age 55.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, Kentucky 40601-6124, or by telephone at (502) 564-4646.

## Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. The County Clerk entered into a written agreement with the depository institution and met requirements (a), (b), and (c) stated above.

### Custodial Credit Risk – Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the County Clerk's deposits may not be returned. The County Clerk does not have a deposit policy for custodial credit risk but rather follows the requirements of KRS 42.240(4). As of December 31, 2005, all deposits were covered by FDIC insurance or a properly executed collateral security agreement. However, as of March 31, 2005, \$61,418 of the County Clerk's deposits of \$161,418 were exposed to the custodial credit risk as follows:

- \$61,418 uninsured and unsecured

## Note 4. Grant

Note 4. Grant

The County Clerk received a local records microfilming grant from the Kentucky Department for Libraries and Archives in the amount of \$11,415. No funds were expended during the year. The unexpended grant balance plus accrued interest was \$11,422 as of December 31, 2005.

Note 5. Subsequent Events

On April 25, 2006 the County Clerk Office incurred an incident of theft. The amount of loss occurred was \$15,194. in checks and cash. As of the completion of our audit \$4,317 of checks and \$4,522 of cash was not recovered. An insurance claim was filed by the clerk's office.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL  
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Krista Romaine, CPA, Member  
Charlotte Clark, Member



William Erwin, CPA  
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Members of the Caldwell County Fiscal Court

Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Caldwell County Clerk for the year ended December 31, 2005, and have issued our report thereon dated July 13, 2006. The County Clerk's financial statement is prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Caldwell County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide an opinion on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Caldwell County Clerk's financial statement for the year ended December 31, 2005, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards  
(Continued)

This report is intended solely for the information and use of management and the Kentucky Governor's Office for Local Development and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

*Krista L. Romaine, CPA*

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Romaine & Associates, PLLC

Audit fieldwork completed -  
July 13, 2006